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\*Admitted only in Virginia  
\*Admitted only in Texas  
•Practice Limited to  
Federal Agencies

January 16, 2003

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Commissioner for Patents  
Washington, D.C. 20231

Art Unit 1636

Re: U.S. Continuation Utility Patent Application  
Appl. No. 09/855,797; Filed: May 16, 2001  
For: **Recombinational Cloning Using Nucleic Acids Having  
Recombination Sites**  
Inventors: HARTLEY *et al.*  
Our Ref: 0942.285000G/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

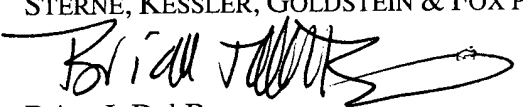
1. SKGF Cover Letter;
2. Preliminary Amendment and Reply to Restriction Requirement; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
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BJD/nef

Enclosures

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SKGF Rev. 2/15/02 dcw

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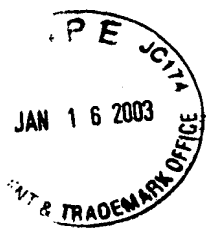
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

HARTLEY *et al.*

Appl. No.: 09/855,797

Filed: May 16, 2001

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Confirmation No.: 2106

Art Unit: 1636

Examiner: Sandals, W.

Atty. Docket: 0942.285000G/RWE/BJD

#7/B  
BD  
1-18-03

**Preliminary Amendment and Reply to Restriction Requirement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In advance of prosecution on the merits in the above identified matter, and in reply to the Office Action issued on December 17, 2002 (Paper No. 6), Applicants submit the following amendments and remarks. This Preliminary Amendment is provided in the following format:

(A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;

(B) Starting on a separate page, appropriate remarks. *See* 37 C.F.R. § 1.121 and MPEP § 714; and

(C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

Please amend the application as follows:

***In the Claims:***

Please cancel claim 1, without prejudice to or disclaimer of the subject matter contained therein.